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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,868	01/19/2001	Jon Karl Lewis	10004107-1	5356

7590 10/15/2002

HEWLETT-PACKARD COMPANY
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EXAMINER

FUREMAN, JARED

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 10/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,868

Applicant(s)

LEWIS, JON KARL

Examiner

Jared J. Fureman

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Receipt is acknowledged of the IDS filed on 1/19/2002, which has been entered in the file.

Specification

1. The abstract of the disclosure is objected to because the abstract is greater than 150 words. Correction is required. See MPEP § 608.01(b).
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --METHOD AND APPARATUS FOR GENERATING A TICKET INCLUDING AN IMAGE OF A PERSON--.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 15, 16, 19, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claims 15 and 19: Claim 15, line 3 and claim 19, line 3, recite the limitation "identification data", it is unclear as to whether this is the same identification data as recited in claim 13, line 6, and claim 17, line 3, respectively, or whether this is different identification data. This renders the claims indefinite. For examination purposes,

claims 15 and 19 have been interpreted so as not to require the same identification data as recited in claims 13 and 17, respectfully.

Re claims 16 and 20: Claim 16, lines 2-3 and claim 20, lines 2-3, recite the limitation "the identification data". It is unclear as to whether claims 16 and 20 are referring to the identification data as recited in claims 13 or 15, and claims 17 or 19, respectfully. This renders the claims indefinite. For examination purposes, since the graphics/watermark are integrated with the image, which is included in the identification data recited in claims 13 and 17, claims 16 and 20 have been interpreted so as to refer to the identification data as recited in claims 13 and 17, respectfully.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 9, 10, 13, 14, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al (US 5,748,755). Please note that some of the reference numerals in figure 3 do not match the description of figure 3 in column 5. For clarity, the reference numerals in figure 3 have been re-labeled by the examiner to correspond to the description in column 5.

Re claims 1-4, 9, and 10: Johnson et al teaches a method of generating a check (26), comprising: requesting check data using a network (the network between modems

42 and 44), sending check data corresponding to the check using the network, where the check data includes identification data corresponding to an image (30) of a person, receiving the check data through the network, forming the check, including the image, using the check data, requesting the check data includes accessing a server (host computer 40 functions as a server) over the network with a computer/imaging device (plant 46 and printer 48, the plant 46 will necessarily include a computer to send/receive data from modem 42), sending the check data includes placing the check data onto the network with the server, forming the check data includes forming the image on media with an imaging device (printer 48) using the identification data, receiving the check data includes storing the check data in the computer/imaging device (the plant 46 and printer 48 will necessarily store the check data, at least temporarily, until the check data is printed), forming the check data includes sending the check data to the imaging device, (see figures 2, 3, column 3 lines 16-57, and column 4 line 62 - column 5 line 67).

Johnson et al fails to specifically teach the checks being tickets and the check data being ticket data.

However, Johnson et al also teaches that while one embodiment is related to the composition of bank checks, the concept is also useful to provide personal images on other documents, including tickets (see column 5 lines 29-61).

In view of Johnson et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the system as taught

by Johnson et al, tickets and ticket data, in order to provide theft-proof tickets (see column 5 lines 29-32 and 59-61 of Johnson et al).

Re claims 13 and 14: Johnson et al teaches a check generating apparatus for use with a network (see figure 3), comprising: a first network enabled device (plant 46) coupled to the network (via modem 44) and arranged to receive check data through the network, a second network enabled device (host computer 40) coupled to the network (via modem 42) and arranged to send the check data to the network, with the check data including identification data corresponding to an image (30) of a person, an imaging device (printer 48) coupled to the first network enabled device arranged to receive the check data to form the check (26) on media including the image, the first network enabled device includes a computer (the plant 46 will necessarily include a computer to send/receive data from modem 42), the second network enabled device includes a server (the host computer 40 functions as a server) (see figures 2, 3, column 3 lines 16-57, and column 4 line 62 - column 5 line 67).

Johnson et al fails to specifically teach the checks being tickets and the check data being ticket data.

However, Johnson et al also teaches that while one embodiment is related to the composition of bank checks, the concept is also useful to provide personal images on other documents, including tickets (see column 5 lines 29-61).

In view of Johnson et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the system as taught

by Johnson et al, tickets and ticket data, in order to provide theft-proof tickets (see column 5 lines 29-32 and 59-61 of Johnson et al).

Re claims 17 and 18: Johnson et al teaches a check generating apparatus for use with a network, comprising: first network enabled device (host computer 40, printer 48) coupled to the network (via modem 42) and arranged to send check data to the network, with the check data including identification data corresponding to an image (30) of a person, a second network enabled device (plant 46) coupled to the network (via modem 44) and configured to form the check (26) on media including the image, the first network device includes a server (host computer 40 functions as a server), the second network enabled device includes an imaging device (in that printer 48 creates images) (see figures 2 and 3, column 3 lines 16-57, and column 4 line 62 - column 5 line 67).

Johnson et al fails to specifically teach the checks being tickets and the check data being ticket data.

However, Johnson et al also teaches that while one embodiment is related to the composition of bank checks, the concept is also useful to provide personal images on other documents, including tickets (see column 5 lines 29-61).

In view of Johnson et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the system as taught by Johnson et al, tickets and ticket data, in order to provide theft-proof tickets (see column 5 lines 29-32 and 59-61 of Johnson et al).

7. Claims 5-8, 11, 12, 15, 16, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al in view of Rhoads (US 6,345,104 B1).

The teachings of Johnson et al have been discussed above.

Re claims 5-8, 11, and 12: Johnson et al fails to teach that forming the ticket includes integrating graphics with the image, the graphics including a watermark corresponding to the identification data.

Rhoads teaches a system and method for generating ticket data (see column 1 lines 24-31) including graphics data integrated with an image, the graphics including a watermark corresponding to identification data (an image) (see column 1 lines 24-36, column 5 lines 21-31, and column 6 lines 5-11).

In view of Rhoads' teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the method as taught by Johnson et al, forming the ticket includes integrating graphics with the image, the graphics including a watermark corresponding to the identification data, in order to discourage/detect counterfeiting of security documents, such as tickets (see column 1 lines 24-36 of Rhoads).

Re claims 15 and 16: Johnson et al also teaches the server including a configuration to generate ticket data using identification data supplied by the computer over the network (the computer will necessarily provide identification data, to identify itself, in order to be permitted to access the data base within the host computer 40) (see figure 3 and column 5 lines 1-14).

Johnson et al fails to teach the server including a configuration to generate the ticket data including graphics data integrated with the image, the graphics including a watermark corresponding to the identification data.

The teachings of Rhoads have been discussed above.

In view of Rhoads' teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the system as taught by Johnson et al, the server including a configuration to generate the ticket data including graphics data integrated with the image, the graphics including a watermark corresponding to the identification data, in order to discourage/detect counterfeiting of security documents, such as tickets (see column 1 lines 24-36 of Rhoads).

Re claims 19 and 20: Johnson et al also teaches the server including a configuration to generate ticket data using identification data supplied by the imaging device over the network (the plant/printer will necessarily provide identification data, to identify itself, in order to be permitted to access the data base within the host computer 40) (see figure 3 and column 5 lines 1-14).

Johnson et al fails to teach the server including a configuration to generate the ticket data including graphics data integrated with the image, the graphics including a watermark corresponding to the identification data.

The teachings of Rhoads have been discussed above.

In view of Rhoads' teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the system as taught by Johnson et al, the server including a configuration to generate the ticket data including graphics

Art Unit: 2876

data integrated with the image, the graphics including a watermark corresponding to the identification data, in order to discourage/detect counterfeiting of security documents, such as tickets (see column 1 lines 24-36 of Rhoads).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dutta (US 2002/0138771 A1), Pugliese, III et al (US 2001/0016825 A1), Al-Sheikh (US 6,137,895), Hujink (US 5,181,786), and Patton et al (EP 1 134 710 A2) all teach systems and/or methods for generating tickets including an image of a person.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (703) 305-0424. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Application/Control Number: 09/765,868

Page 10

Art Unit: 2876

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Jared J. Fureman
Jared J. Fureman
October 9, 2002